

## INSTRUCTIONS FOR THE CLAIM FOR EXCLUSION FORM

KRS 224.46-580 provides several exclusions from the hazardous waste assessment. To claim that a specific hazardous waste is excluded from the assessment, you must submit the **Claim for Exclusion from the Hazardous Waste Assessment Form with the Assessment Return before March 1, 2010**. This form must be completed every year a claim for exclusion is made.

**Line 1** Complete these lines. This information will correspond with that provided on your Assessment Return and Certificate of Registration.

**Line 2** Check one box. Use a separate form for each waste stream for which exclusion to the Assessment is sought. A brief description of each category is listed below.

Waste Oil – Used oil is not regulated as a hazardous waste when managed in accordance with 401 KAR Chapter 44.

Special Wastes – KRS 224.50-760 defines the following as special wastes: mining wastes; utility wastes which meet the definition of fly ash, bottom ash or scrubber sludge; sludge from wastewater treatment facilities; cement kiln dust; gas and oil drilling muds; and oil production brines. No other wastes have been designated by the Environmental and Public Protection Cabinet as special wastes.

Spent material from air pollution control devices at coke manufacturing facilities – This exclusion is limited to a coke manufacturing facility's air pollution control equipment wastes.

Waste generated by others for which the company is a secondary handler – Companies that store, process or reclaim hazardous waste generated in Kentucky by another company are not required to pay the assessment. Hazardous waste generated outside of Kentucky is subject to the assessment and facilities must collect and submit the assessment due from out-of-state generators. In addition, hazardous waste generated by the secondary handler as the result of storage, processing or reclamation is subject to the assessment.

Waste regulated under Section 402 or 307b of the Clean Water Act –

- Section 402 of the Clean Water Act refers to the Kentucky Pollutant Discharge Elimination System (KPDES) program. This exclusion applies to any waste that flows through a treatment plant holding a valid KPDES permit. For exclusion to the assessment, complete a Claim for Exclusion for this waste.
- Section 307b of the Clean Water Act applies to any waste that is sent to a pretreatment system and discharged to a publicly owned sewer treatment works (POTW). The wastewater is not reported as a waste, therefore, there is no Claim for Exclusion Form needed. The sludge, "special waste" is reported as waste on a Form 2; for exclusion to the assessment, complete a Claim for Exclusion.

Recycled wastes used in steel manufacturing

Out-of-state waste received by a manufacturing company from an affiliated company – According to the Under Investment Company Act (15 U.S.C.A. Section 80A-2), a company in which there is ownership (direct or indirect) of 5 percent or more of the voting stock is considered an affiliated company.

Emission control dust and sludge from the primary production of steel that is recycled by high temperature metals recovery or managed by stabilization of metals

**Line 3** Describe the generation process for the waste being excluded. **NOTE: A description must be provided or the claim will be denied.**

**Line 4** Complete each section. Definitions for liquid and solid waste are provided on page 23. See page 9 for an explanation of EPA hazardous waste codes.

**\*\*\*The Claim for Exclusion form must contain an original signature\*\*\***

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Commonwealth of Kentucky  
**CLAIM FOR EXCLUSION FROM THE HAZARDOUS WASTE ASSESSMENT**  
From January – December 2009

Return to Hazardous Waste Branch, 200 Fair Oaks Lane, Frankfort KY 40601 BEFORE **March 1, 2010** with the Hazardous Waste Assessment Return and Annual Report.

1. EPA ID Number: KY	County:	Al#:
Site Name:		
Contact Person:	Phone No:	Extension:
Mailing Address:		
City, State and Zip:		

2. Identify the specific exclusion described under KRS 224.46-580 (7) and (8) for which approval is sought. Mark only one box.

- ☐ Waste Oil
- ☐ Special Waste
- ☐ Spent material from air pollution control emissions at coke manufacturing facilities
- ☐ Secondary handler receiving waste from Kentucky generators
- ☐ Waste subject to Section 402 of the Clean Water Act sent to a KPDES outfall
- ☐ Waste subject to Section 307B of the Clean Water Act sent to a POTW
- ☐ Recycled waste used in the steel manufacturing process
- ☐ Out-of-state waste received by a manufacturing company from an affiliated company
- ☐ Emission control dust and sludge from the primary production of steel that is recycled by high temperature metals recovery or managed by stabilization of metals

3. Provide a brief description of the process that generates the hazardous waste for which you are seeking exclusion from assessment or the Claim will be denied. **(Mandatory - Attach additional sheets if necessary.)**

4. Complete this chart for the hazardous waste you are seeking an exclusion.

EPA Waste Codes	Amount of Waste Generated During the Assessment Period Report in pounds.	Solid or Liquid	Was this waste ultimately sent off site for treatment storage or disposal? (Yes or No?)

**CERTIFICATION:** I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Original Signature (use blue ink)

Name and Title

Date

DEP-7084 (Rev. 2009)

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## SOURCE CODES

Source codes describe the type of process or activity (i.e., source) from which a hazardous waste was generated.

Code	Source Code Group
<b>Wastes from Ongoing Production and Service Processes</b>	
G01	Dip, flush or spray rinsing
G02	Stripping and acid or caustic cleaning
G03	Plating and phosphating
G04	Etching
G05	Metal forming and treatment (pickling, heat treating, etc.)
G06	Painting and coating
G07	Product and by-product processing
G08	Removal of spent process liquids or catalysts
G09	Other production or service-related processes (specify)
<b>Other Intermittent Events or Processes</b>	
G11	Discarding off-specification or out-of-date chemicals or products
G12	Lagoon or sediment dragout and leachate collection
G13	Cleaning out process equipment
G14	Removal of tank sludge, sediments or slag
G15	Process equipment change-out or discontinuation of equipment use
G16	Oil changes and filter or battery replacement
G19	Other one-time or intermittent processes (specify)
<b>Pollution Control and Waste Management Process Residuals</b>	
G21	Air pollution control devices (baghouse dust, etc.)
G22	Laboratory analytical wastes (used chemicals)
G23	Wastewater treatment (sludge, filter cake, etc.)
G24	Solvent or product distillation or recovery (sludge, waste)
G25	Hazardous waste management - indicate management method
G26	Storage and disposal unit leachate collection
<b>Spills and Accidental Releases</b>	
G31	Accidental contamination of products, materials or containers
G32	Cleanup of spill residues
G33	Leak collection and floor sweeping
G39	Other cleanup of current contamination (specify)
<b>Remediation of Past Contamination</b>	
G41	Closure of hazardous waste management unit under KY Hazardous Waste Program
G42	Corrective action at a solid waste management unit under KY Hazardous Waste Program
G43	Remedial action or emergency response under KRS 224.01-400 (state "Superfund")
G44	State program or voluntary cleanup
G45	Underground storage tank cleanup
G49	Other remediation (specify)
<b>Waste Not Physically Generated On Site</b>	
G61	Hazardous waste received from off site for storage/bulking and transfer off site for treatment or disposal
G62	Hazardous waste received from a foreign country (other than a foreign Department of Defense site, Maquiladora, US territory or protectorate). This site was the generator of record.

## FORM CODES

Form codes describe the general physical and chemical characteristics of a hazardous waste.

Code	Form Code Group
<b>Mixed Media/Debris/Devices</b> - Waste that is a mixture of organic and inorganic wastes, liquid and solid wastes, or devices that are not easily categorized	
W001	Lab packs with no acute hazardous waste
W002	Contaminated debris: paper, clothing, rags, wood, empty fiber or plastic containers, glass, piping, other solids
W004	Lab packs containing acute hazardous waste
W301	Contaminated soil
W309	Batteries, battery parts, cores, casings
W310	Filters, solid adsorbents, ion exchange resins and spent carbon
W320	Electrical devices (lamps, thermostats, CRTs, etc.)
W512	Sediment or lagoon dragout, drilling or other muds
W801	Compressed gases
<b>Inorganic Liquids</b> - Waste that is primarily inorganic and highly fluid (e.g., aqueous), with low suspended inorganic solids and low organic content	
W101	Very dilute aqueous waste containing more than 99% water
W103	Spent concentrated acid
W105	Acidic aqueous wastes less than 5% acid
W107	Aqueous waste containing cyanides
W110	Caustic aqueous waste without cyanides
W113	Other aqueous waste or wastewaters
W117	Waste liquid mercury
W119	Other inorganic liquid (specify)
<b>Organic Liquids</b> - Waste that is primarily organic and is highly fluid, with low inorganic solids content and low-to-moderate water content	
W200	Still bottoms in liquid form
W202	Concentrated halogenated (e.g., chlorinated) solvent
W203	Concentrated non-halogenated (e.g., non-chlorinated) solvent
W204	Concentrated halogenated/ non-halogenated solvent mixture
W205	Oil-water emulsion or mixture
W206	Waste oil
W209	Paint, ink, lacquer, or varnish
W210	Reactive or polymerizable organic liquids and adhesives
W211	Paint thinner or petroleum distillates
W219	Other organic liquid (specify)

### FORM CODES (Continued)

Code	Source Code Group
	<b>Inorganic Solids</b> - Waste that is primarily inorganic and solid, with low organic content and low-to-moderate water content; not pumpable
W303	Ash
W304	Slags, drosses, and other solid thermal residues
W307	Metal scale, filings and scrap (including metal drums)
W312	Cyanide or metal cyanide bearing solids, salts or chemicals
W316	Metal salts or chemicals not containing cyanides
W319	Other inorganic solids (specify)
	<b>Organic Solids</b> - Waste that is primarily organic and solid, with low-to-moderate inorganic content and water content; not pumpable
W401	Pesticide solids
W403	Solid resins, plastics or polymerized organics
W405	Explosives or reactive organic solids
W409	Other organic solids (specify)
	<b>Inorganic Sludges</b> - Waste that is primarily inorganic, with moderate-to-high water content and low organic content; mostly pumpable
W501	Lime and/or metal hydroxide sludges and solids with no cyanides
W503	Gypsum sludges from wastewater treatment or air pollution control
W504	Other sludges from wastewater treatment or air pollution control
W505	Metal bearing sludges (including plating sludge) not containing cyanides
W506	Cyanide-bearing sludges
W519	Other inorganic sludges (specify)
	<b>Organic Sludges</b> - Waste that is primarily organic with low-to-moderate inorganic solids content and water content; pumpable
W603	Oily sludge
W604	Paint or ink sludges, still bottoms in sludge form
W606	Resins, tars, polymer or tarry sludge
W609	Other organic sludge (specify)

### Conversion Rates

All quantities on the Hazardous Waste Annual Report and the Assessment Return must be reported in pounds. Use these conversion rates if you don't know the weight of your waste.

For example:

To convert 25 gallons to pounds, multiply 25 (gallons) by 8.34 (the weight of water) = 208.5 pounds.

To convert 50 tons into pounds, multiply 50 (tons) by 2000 (pounds) = 100,000 pounds.

Conversion Rates Chart		
Unit	Physical State	Multiplier to Pounds
Gallons	Liquid	8.34
	Sludge/Solid	11.09
Cubic Yards	Liquid	1684.8
	Sludge/Solid	2240
Liters	Liquid	2.203
Kilogram	Liquid/Sludge/Solid	2.204
Pounds	Liquid/Sludge/Solid	1
Tons	Liquid/Sludge/Solid	2000



## MANAGEMENT METHOD CODES

Management Method codes describe the type of hazardous waste management system used to treat or dispose a hazardous waste.

Code	Management Method Code Group
<b>Reclamation and Recovery</b>	
H010	Metals recovery including retorting, smelting, chemical, etc.
H020	Solvents recovery
H039	Other recovery or reclamation for reuse including acid regeneration, organics recovery, etc. (specify)
H050	Energy recovery at this site - use as fuel (includes on-site fuel blending)
H061	Fuel blending prior to energy recovery at another site
<b>Destruction or Treatment Prior to Disposal at Another Site</b>	
H040	Incineration - thermal destruction other than use as a fuel
H071	Chemical reduction with or without precipitation
H073	Cyanide destruction with or without precipitation
H075	Chemical oxidation
H076	Wet air oxidation
H077	Other chemical precipitation with or without pre-treatment
H081	Biological treatment with or without precipitation
H082	Adsorption
H083	Air or steam stripping
H101	Sludge treatment and/or dewatering
H103	Absorption
H111	Stabilization or chemical fixation prior to disposal at another site
H112	Macro-encapsulation prior to disposal at another site
H121	Neutralization only
H122	Evaporation
H123	Settling or clarification
H124	Phase separation
H129	Other treatment (specify)
<b>Disposal</b>	
H131	Land treatment or application (to include on-site treatment and/or stabilization)
H132	Landfill or surface impoundment that will be closed as landfill (to include on-site treatment and/or stabilization)
H134	Deepwell or underground injection (with or without treatment)
H135	Discharge to sewer/POTW or NPDES (with prior storage - with or without treatment)
<b>Storage and Transfer</b>	
H141	Storage, bulking, and/or transfer off site - no treatment/recovery (H010-H129), fuel blending (H061), or disposal (H131-H135) at this site

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